IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 30TH MARCH 2007 / 9TH CHAITHRA 1929

WP(C).No. 7750 of 2007(V)

PETITIONER:

M.K.BHASKARAN, S/O.KUNJAPPU, RESIDING
AT MAYANNA POTTA, EDUPPUKULAM P.O.,
PALAKKAD.

BY ADV. SRI.V.CHITAMBARESH
SRI.T.C.SURESH MENON
SRI.JIBU P THOMAS

RESPONDENTS:

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1. THE PALAKKAD PRIMARY CO-OPERATIVE
AGRICULTURAL AND RURAL DEVELOPMENT BANK
LIMITED, NO.F-1029, REPRESENTED BY ITS
SECRETARY, PALAKKAD - 678 014.

2. THE SALES OFFICER (THE JUNIOR INSPECTOR
OF CO-OPERATIVE SOCIETIES, PALAKKAD),
THE PALAKKAD PRIMARY CO-OPERATIVE AGRICULTURAL
AND RURAL DEVELOPMENT BANK LIMITED, NO.F-1029,
PALAKKAD - 678 014.

3. P.N.NARAYANAN, S/O.PONNU, RESIDING AT
MUTHIRAMPALLAM, ELAPULLY P.O., PALAKKAD.

BY ADV. SRI.T.K.CHINNAN
GOVT.PLEADER SRI.BASANT BALAJI
SC SRI.T.R.HARIKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P(C)No. 7750 /2007

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1. TRUE COPY OF THE NOTICE ISSUED BY THE BANK TO THE WRIT PETITIONER DATED 14-3-2006

EXT.P2. TRUE COPY OF THE SALE NOTICE ISSUED BY THE BANK TO THE THIRD RESPONDENT DATED 4-12-1999

EXT.P3. TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE WRIT PETITIONER TO THE BANK DATED 26-2-2007

/ TRUE COPY /

P.S.TO JUDGE

KURIAN JOSEPH, J.

W.P(C)No.7750 of 2007

Dated this the 30th day of March, 2007

JUDGMENT

The writ petition is filed with the following prayers:-

> (i) issue a writ in the nature of mandamus directing respondents 1 and 2 to consider Ext.P3 on merits after due notice to the writ petitioner as well as the third respondent expeditiously.
>
> (ii) issue a writ in the nature of mandamus directing respondents 1 and 2 to sell the property of the third respondent first in order to release the property of the writ petitioner pledged.

There will be a direction to the first respondent to look into Ext.P3 with notice to the petitioner and the 3rd respondent and take appropriate action thereon in accordance with law within a period of three months from the date of production of a copy of the judgment.

The writ petition is disposed of as above.

(KURIAN JOSEPH, JUDGE)

ahg.